

YOUNG, MINNEY & CORR, LLP

THE CHARTER LAW FIRM



Managing Disruptive Parents

Presented by:
Janelle A. Ruley, Esq.

Overview



- Introduction
- Goals
 - Ounce of Prevention
 - Improve Issue Spotting Skills
 - Provide Ideas for Systematic Change
 - Limit Disruption/Liabilities
- Disclaimers
 - Real Problems are Fact Specific & Complex
 - Cookie-Cutting can be Dangerous
 - Non-Attorney Advice and the Attorney-Client Privilege
- Keep Your Questions Hypothetical

Case Study



Pamela Ingrid Anderson (“P.I.A.”) is a mother of one darling first grade student at Totally Awesome Charter School. PIA volunteers in the classroom, but ignores the projects assigned to her by the teacher and instead focuses on her own child, Posh Anderson. Instead of helping the kids in reading groups, PIA reads to her child, corrects the teacher when trying to re-direct Posh’s behavior and generally monitors to make sure that no other student places Posh in any danger.

Case Study (cont).



In response, the teacher has now limited PIA's volunteer opportunities to once monthly. PIA was incredibly disappointed and began emailing the teacher three to ten times daily. And, recently PIA was found hiding in the closet in Posh's classroom monitoring "The Posh" secretively. When found and asked to leave, PIA got very upset and started screaming at the teacher. She left, but pointed at the teacher and yelled, "I know a lot of people. You are going to regret this!" In the parking lot, as she tore off, she flipped off another parent, screamed at a student to get the hell out of her way, and honked the horn incessantly until able to leave the parking lot.

Overview of Legal Responses



- Maintain appropriate policies to set expectations
- If appropriate, have an in-person meeting
- Written request to correct future behavior (warning letter)
- Revoke consent to be on premises (ouster letter)
- Aid from law enforcement
- Seek a restraining order/injunction

Publish and Maintain A Visitor Policy



- Check-in process
- Visitor passes
- Time limits
- Statutory provisions regarding penalties & ouster
- Prior approval
- Define your “campus” and behavioral expectations

Keep a Log of visitors and issues with any visitors.

Publish and Maintain A Volunteer Policy



- Limitations
- Confidentiality
- Job duties
- Prior approval
- Charter requirements

Early Intervention



- If safe and possible, an in person discussion should be held to convey the seriousness of the school's concerns regarding the behavior. Include at least one other school employee in the meeting.
- A follow-up warning letter should be sent summarizing your conversation and warning them of the consequences of future misbehavior.

The “Warning” Letter



- Letter may be from School or Attorney
- Demand to Cease & Desist behavior
- Identify unacceptable behavior
- Discuss impact of behavior
- Demand appropriate behavior
- Provide warning of consequences

Penalties for Disruption



- Education Code § 44811, disruption by a parent or guardian or other person at a school or school sponsored activity is punishable, upon the first conviction, by a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000) or by imprisonment in a county jail for not more than one (1) year, or both.
- California Penal Code § 626.7: failure to leave after being asked or if you return without following the proper procedures, you will be guilty of a crime which is punishable by a fine of up to \$500.00 or imprisonment in the County jail for a period of up to six (6) months or both.

Ouster



- California Penal Code § 626.8: Notice to Leave Immediately, which applies for seven (7) days. Applies when the person's presence or acts interfere with the peaceful conduct of the activities of the school or disrupt the school or its pupils or school activities.
- California Penal Code § 626.4: Withdrawal of Consent for Fourteen (14) Days. Applies when whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.

The Ouster Letter



Same content as the warning letter but additionally notifies the disruptive party of their ouster from the school premises for 7 or 14 days.

Act on Escalating Behavior



- Investigate
- Contact law enforcement
- Consider restraining order/injunctions

Workplace Violence Injunction



- Code of Civil Procedure 527.8
- Filed by school on behalf of employee or volunteer
- Unlawful violence or credible threat of violence
- Harassment stems from workplace
- Temporary Restraining Order (“TRO”) then “permanent” injunction (up to 3 years)
- Applies to protected employee/volunteer and family members
- Protected individuals can contact law enforcement in the case of a violation.

Civil Harassment Restraining Order/Injunction



- Code of Civil Procedure 527.6
- Filed by an individual
- Unlawful violence, credible threat of violence, or knowing and willful course of conduct directed at a specific person

Tips to Limit Exposure to Liability



- Set behavior expectations for parents early
- Do not ignore “low level” situations – act quickly
- Be vigilant about parking lot behavior
- Work with an employee who feels harassed
- Maintain up to date policies and procedures
- Document all disruptive situations—sign in sheets, phone logs, letters to parents.
- Investigate all complaints
- Contact law enforcement when needed; even to deter bad behavior

QUESTIONS AND RESPONSES

THANKS FOR ATTENDING TODAY!



YOUNG, MINNEY & CORR, LLP

SACRAMENTO ■ LOS ANGELES ■ SAN DIEGO



SACRAMENTO OFFICE:

701 UNIVERSITY AVENUE
SUITE 150
SACRAMENTO, CA 95825

LOS ANGELES OFFICE:

5250 LANKERSHIM BLVD.
SUITE 610
NO. HOLLYWOOD, CA 91601

SAN DIEGO OFFICE:

591 CAMINO DE LA REINA
SUITE 910
SAN DIEGO, CA 92108

CONTACT:

TEL 916.646.1400
INFO@MYCHARTERLAW.COM
WWW.MYCHARTERLAW.COM